

Senate Bill No. 252

CHAPTER 13

An act to add Section 1687 to the Business and Professions Code, relating to dentistry.

[Approved by Governor June 22, 2007. Filed with
Secretary of State June 22, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

SB 252, Aanestad. Dentistry: registered sex offenders.

Existing law, the Dental Practice Act, provides for the licensing and regulation of the practice of dentistry by the Dental Board of California, in the Department of Consumer Affairs, and authorizes the board to deny, revoke, or suspend a license for specified reasons. Existing law requires persons convicted of certain sex offenses to register as sex offenders, as specified.

This bill would, with regard to an individual who is required to register as a sex offender, require the board to deny an application for licensure, renewal, or reinstatement of, or to revoke, a license under the Dental Practice Act, with specified exceptions.

The people of the State of California do enact as follows:

SECTION 1. Section 1687 is added to the Business and Professions Code, to read:

1687. (a) Notwithstanding any other provision of law, with regard to an individual who is required to register as a sex offender pursuant to Section 290 of the Penal Code, or the equivalent in another state or territory or under military law, the board shall be subject to the following requirements:

(1) The board shall deny an application by the individual for licensure pursuant to this chapter.

(2) If the individual is licensed under this chapter, the board shall revoke the license of the individual.

(3) The board shall not renew or reinstate the individual's licensure under this chapter.

(b) This section shall not apply to any of the following:

(1) An individual who has been relieved under Section 290.5 of the Penal Code of his or her duty to register as a sex offender, or whose duty to register has otherwise been formally terminated under California law or the law of the jurisdiction that requires his or her registration as a sex offender.

(2) An individual who is required to register as a sex offender pursuant to Section 290 of the Penal Code solely because of a misdemeanor conviction

under Section 314 of the Penal Code. However, nothing in this paragraph shall prohibit the board from exercising its discretion to discipline a licensee under other provisions of state law based upon the licensee's conviction under Section 314 of the Penal Code.

(3) Any administrative adjudication proceeding under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code that is fully adjudicated prior to January 1, 2008.